

# SENATE BILL 760

E4

2lr2467  
CF 2lr1609

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By: **Senator Gladden**

Introduced and read first time: February 3, 2012

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Inmates – Video Visitation Program**

3 FOR the purpose of requiring the Department of Public Safety and Correctional  
4 Services to establish a certain video visitation program under which a certain  
5 inmate may visit with certain persons via Internet video under certain  
6 circumstances; requiring the Department to establish a certain approval process  
7 and guidelines for certain organizations to provide Internet video access to  
8 certain persons; requiring the Department to establish a certain fee for  
9 participation in a certain video visitation program; authorizing a certain person  
10 under certain circumstances to apply for participation in a certain video  
11 visitation program; requiring certain information to be included in an  
12 application for participation in a certain video visitation program; providing for  
13 an approval process for a certain application to a certain video visitation  
14 program; requiring the Department to adopt certain regulations; establishing  
15 penalties for a certain violation of a condition of a video visitation program;  
16 defining a certain term; and generally relating to a video visitation program for  
17 inmates.

18 BY adding to

19 Article – Correctional Services

20 Section 10–1001 through 10–1005 to be under the new subtitle “Subtitle 10.  
21 Video Visitation Program”

22 Annotated Code of Maryland

23 (2008 Replacement Volume and 2011 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
25 MARYLAND, That the Laws of Maryland read as follows:

26 **Article – Correctional Services**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                                   **SUBTITLE 10. VIDEO VISITATION PROGRAM.**

2   **10-1001.**

3           **IN THIS SUBTITLE, "PROGRAM" MEANS A VIDEO VISITATION PROGRAM**  
4 **ESTABLISHED UNDER THIS SUBTITLE.**

5   **10-1002.**

6           **(A) THE DEPARTMENT SHALL ESTABLISH A VIDEO VISITATION**  
7 **PROGRAM UNDER WHICH AN INMATE IN THE CUSTODY OF THE COMMISSIONER**  
8 **MAY VISIT WITH FAMILY AND FRIENDS VIA INTERNET VIDEO PROVIDED**  
9 **THROUGH A LOCAL NONPROFIT, RELIGIOUS, OR COMMUNITY ORGANIZATION.**

10           **(B) THE DEPARTMENT SHALL ESTABLISH AN APPROVAL PROCESS AND**  
11 **GUIDELINES FOR A LOCAL NONPROFIT, RELIGIOUS, OR COMMUNITY**  
12 **ORGANIZATION TO PROVIDE INTERNET VIDEO ACCESS FOR THE FAMILY AND**  
13 **FRIENDS OF AN INMATE IN THE PROGRAM.**

14           **(C) THE DEPARTMENT SHALL ESTABLISH A FEE FOR THE PROGRAM**  
15 **THAT IS SUFFICIENT TO COVER THE COSTS OF THE PROGRAM.**

16   **10-1003.**

17           **(A) AN INMATE WHO IS IN GOOD STANDING AND HAS NOT VIOLATED THE**  
18 **APPLICABLE RULES OF DISCIPLINE WITHIN THE PRIOR 6 MONTHS MAY APPLY**  
19 **TO THE WARDEN OF THE CORRECTIONAL FACILITY IN WHICH THE INMATE IS**  
20 **CONFINED FOR PERMISSION TO PARTICIPATE IN THE PROGRAM.**

21           **(B) AN APPLICATION SHALL INCLUDE:**

22                   **(1) A STATEMENT BY THE INMATE THAT THE INMATE AGREES TO**  
23 **ABIDE BY ALL TERMS AND CONDITIONS OF THE PROGRAM;**

24                   **(2) THE NAMES AND ADDRESSES OF THE PROPOSED FAMILY OR**  
25 **FRIENDS WHO WILL PARTICIPATE IN THE PROGRAM;**

26                   **(3) THE NAME AND ADDRESS OF THE LOCAL NONPROFIT,**  
27 **RELIGIOUS, OR COMMUNITY ORGANIZATION THAT WILL PROVIDE INTERNET**  
28 **VIDEO ACCESS FOR THE PROPOSED FAMILY OR FRIENDS TO PARTICIPATE IN**  
29 **THE PROGRAM; AND**

1           **(4) ANY OTHER INFORMATION THAT THE DIVISION OR THE**  
2 **COMMISSIONER REQUIRES.**

3           **(C) (1) A WARDEN MAY RECOMMEND THE APPLICATION OF AN**  
4 **INMATE TO THE COMMISSIONER.**

5           **(2) THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE**  
6 **MAY APPROVE, DISAPPROVE, OR DEFER ACTION ON THE APPLICATION.**

7 **10-1004.**

8           **THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY TO**  
9 **IMPLEMENT THE PROGRAM ESTABLISHED UNDER THIS SUBTITLE.**

10 **10-1005.**

11           **A PERSON WHO WILLFULLY VIOLATES THE CONDITIONS OF THE PROGRAM**  
12 **IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO**  
13 **IMPRISONMENT NOT EXCEEDING 1 YEAR.**

14           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
15 **October 1, 2012.**